

PATENT APPLICATION

Receipt  
17h

IN THE U.S. PATENT AND TRADEMARK OFFICE

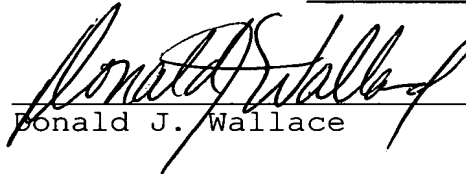
Applicant: Joachim BERC  
Title: SUPPORTING DEVICE FOR A PERSON'S BACK AND HEAD AREA  
Serial No.: 10/520 051 Group: 3637  
Confirmation No.: 5080  
Filed: December 29, 2004 Examiner: Unknown  
International Application No.: PCT/EP2003/006244  
International Filing Date: June 13, 2003  
Atty. Docket No.: Ruff 53

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 23, 2005.

  
Donald J. Wallace

DJW/kc

FLYNN, THIEL, BOUTELL	Dale H. Thiel	Reg. No. 24 323
& TANIS, P.C.	David G. Boutell	Reg. No. 25 072
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Fax: (269) 381-5465	Liane L. Churney	Reg. No. 40 694
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	Steven R. Thiel	Reg. No. 53 685
	Donald J. Wallace	Reg. No. 43 977
	Kevin L. Pontius	Reg. No. 37 512
	Sidney B. Williams, Jr.	Reg. No. 24 949

Correspondence: REQUEST FOR CORRECTED FILING RECEIPT  
dated August 23, 2005  
including enclosures listed thereon

190.05/05



PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

August 23, 2005

Applicant(s): Joachim BERC

For: SUPPORTING DEVICE FOR A PERSON'S BACK AND HEAD AREA

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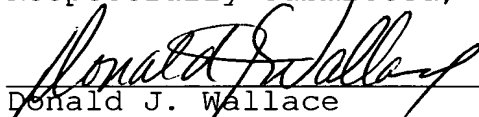
REQUEST FOR CORRECTED FILING RECEIPT

Sir:

It has been noted that there is a typographical error in the inventor's name. More specifically, the inventor's name is Joachim Berc. Please make the necessary correction to the USPTO file as indicated on the enclosures.

A corrected Filing Receipt is respectfully requested.

Respectfully submitted,

  
Donald J. Wallace

DJW/kc

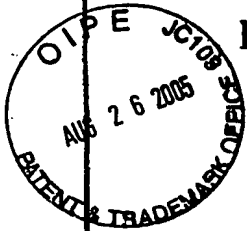
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Reg. No. 43 977  
Reg. No. 37 512  
Reg. No. 24 949

Encl: Copy of Declaration  
with inventor's name highlighted thereon  
Copy of Filing Receipt  
with requested correction indicated in red  
Postal Card

110.0703



# Declaration and Power of Attorney for Patent Application Erklärung für Patentanmeldungen mit Vollmacht

## German Language Declaration

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Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:

deren Beschreibung hier beigefügt ist, es sei denn (in diesem Falle Zutreffendes bitte ankreuzen), diese Erfindung

- ☐ wurde angemeldet am \_\_\_\_\_ unter der US-Anmeldenummer oder unter der Internationalen Anmeldenummer im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) \_\_\_\_\_ und am \_\_\_\_\_ abgeändert (falls zutreffend).

Ich bestätige hiermit, daß ich den Inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die eventuell durch einen oben erwähnten Zusatzantrag abgeändert wurde, durchgesehen und verstanden habe.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Titel 37, Code of Federal Regulations, § 1.56 von Belang sind.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### SUPPORTING DEVICE FOR A PERSON'S

### BACK AND HEAD AREA

the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on June 13, 2003 as United States Application Number or PCT International Application Number PCT/KP2003/006244 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

AUG 26 2005  
PATENT & TRADEMARK OFFICE

### German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderschriften, oder § 365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land unter den Vereinigten Staaten von Amerika betreffen, und habe nachstehend durch unterstichene schriftliche Auslandsanmeldungen für Patente bzw. Erfinderschriften oder PCT internationale Anmeldungen angegeben, deren Anmeldung dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.

Prior Foreign Applications  
(Frühere ausländische Anmeldungen)

02400032.5      EP  
(Number)      (Country)  
(Number)      (Land)

(Number)      (Country)  
(Number)      (Land)

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Einzelanmeldungen wie unten aufgeführt

(Application No.)      (Filing Date)  
(Anmeldungs-Nr.)      (Anmeldungs-Datum)

(Application No.)      (Filing Date)  
(Anmeldungs-Nr.)      (Anmeldungs-Datum)

Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika betreffen, und erkläre, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in der gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind und die im Zeitraum zwischen dem Anmeldungsdatum der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentrechts (PCT) gültigen internationalen Anmeldungsdatum bekannt geworden sind.

(Application No.)      (Filing Date)  
(Anmeldungs-Nr.)      (Anmeldungs-Datum)

(Application No.)      (Filing Date)  
(Anmeldungs-Nr.)      (Anmeldungs-Datum)

Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestem Wissen und Gewissen der Wahrheit entsprechen, und ferner daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege, daß wissenschaftlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Code strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissenschaftlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patents gefährden können.

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
Priorität nicht beansprucht

2 July 2002  
(Day/Month/Year Filed)  
(Tag/Monat/Jahr der Anmeldung)

(Day/Month/Year Filed)  
(Tag/Monat/Jahr der Anmeldung)

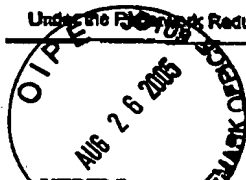
I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Status) (patented, pending, abandoned)  
(Status) (patentiert, schwebend, aufgegeben)

(Status) (patented, pending, abandoned)  
(Status) (patentiert, schwebend, aufgegeben)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



## German Language Declaration

**VERTRETUNGSMACHT:** Als benannter Erfinder bestätige ich hiermit den (die) nachstehend aufgeführten Patentanwalt (Patentanwälte) und/oder Vertreter mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Angelegenheiten vor dem US-Patent- und Markenamt: (Name(n) und Registrationsnummer(n) auflisten)

Dale H. Thiel, Reg. No. 24 323  
David G. Boutell, Reg. No. 25-072  
Ronald J. Tanis, Reg. No. 22 724  
Terryence P. Chapman, Reg. No. 32 549  
Mark L. Maki, Reg. No. 36 589

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (List name and registration number).

Liane L. Churney, Reg. No. 40 694  
Brian R. Tumm, Reg. No. 36 328  
Steven R. Thiel, Reg. No. 53 685  
Donald J. Wallace, Reg. No. 43 977  
Sidney B. Williams, Jr., Reg. No. 24 949

**Postanschrift:** Flynn, Thiel, Boutell & Tanis, P.C. Send Correspondence to:  
2026 Rambling Road  
Kalamazoo, Michigan 49008-1631

**Telefonische Anschrift:** (Name und Telefonnummer)

**Direct Telephone Calls to:** (name and telephone number)

Vor- und Zuname des einzigen oder ersten Erfinders	Full name of sole or first inventor
Unterschrift des Erfinders	Inventor's signature
Datum	Date
Wohnsitz	Residence
Staatsangehörigkeit	Citizenship
Postanschrift	Post Office Address
Vor- und Zuname des zweiten Miterfinders (falls zutreffend)	Full name of second joint inventor, if any
Unterschrift des zweiten Erfinders	Second inventor's signature
Datum	Date
Wohnsitz	Residence
Staatsangehörigkeit	Citizenship
Postanschrift	Post Office Address

(In Falle dritter und weiterer Miterfinder sind die entsprechenden Informationen und Unterschriften hinzuzufügen.)

(Supply similar information and signature for third and subsequent joint inventors.)

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/520,051	12/29/2004	3637	450	Ruff 53	9	10	1

23474

 FLYNN THIEL BOUTELL & TANIS, PC  
 2026 RAMBLING ROAD  
 KALAMAZOO, MI 49008-1631

 DHT \_\_\_\_\_ DGB \_\_\_\_\_ RJT \_\_\_\_\_  
 TFC \_\_\_\_\_ MLM \_\_\_\_\_ LLC \_\_\_\_\_  
 BRT \_\_\_\_\_ SRT \_\_\_\_\_ SBW \_\_\_\_\_

JUL 25 2005

 DJW \_\_\_\_\_ KLP \_\_\_\_\_ PMG \_\_\_\_\_  
 GMS \_\_\_\_\_ CMC \_\_\_\_\_ TLH \_\_\_\_\_  
 FILE \_\_\_\_\_

CONFIRMATION NO. 5080

FILING RECEIPT



\*OC000000016490001\*

Date Mailed: 07/19/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Joachim Berg, Los Angeles, CA;

Berc

Power of Attorney: The patent practitioners associated with Customer Number 23474.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/06244 06/13/2003

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 02400032.5 07/02/2002

Projected Publication Date: 10/20/2005

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Supporting device for the back and head of a human being

 FILE NO: RUFF 53 ATTY: DGB/DJW  
 CLIENT: 5000.P0053US  
 Title: SUPPORTING DEVICE FOR BACK A  
 DATE: 12-07-2004 TYP: P ST: P  
 \ 9803

**Preliminary Class**

108

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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